

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

|                                   |   |                               |
|-----------------------------------|---|-------------------------------|
| GEOTAG, INC.,                     | ) |                               |
|                                   | ) |                               |
|                                   | ) |                               |
| Plaintiff,                        | ) | CIVIL ACTION NO.: 2:10-cv-574 |
| vs.                               | ) |                               |
|                                   | ) | JURY TRIAL DEMANDED           |
| THE WESTERN UNION COMPANY, ET AL. | ) |                               |
|                                   | ) |                               |
| Defendants.                       | ) |                               |

**[PROPOSED] ORDER GRANTING DEFENDANT SCOTTS MOTION TO DISMISS**

On March 8, 2011, Defendant The Scotts Company LLC (“Scotts”) filed its Motion to Dismiss Plaintiff Geotag, Inc.’s (“Geotag”) Complaint in the above-captioned proceeding for failure to state of claim for which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(6).

After reviewing this Motion, **IT IS HEREBY ORDERED** that:

The Motion is **GRANTED**. Geotag’s Complaint as to Defendant Scotts is hereby dismissed on the ground that Geotag fails to state a claim for which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(6).

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DISTRICT COURT JUDGE PRESIDING